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SUBJECT: EU POINTS FINGERS IN LIFTING KARADZIC TRAVEL BAN,
PRESIDENCY RAISES OHR EFFORTS ON CLOSURE

REF: STATE 82492

Classified By: Political-Minister Counselor Chris Davis for reasons 1.4
(b) and (d).

11. (C/NF) Summary: EU Council Bosnia official Sabina Stadler blamed the French Presidency for moving quickly to start the process to lift the travel restrictions on the Karadzic family (reftel), while French Presidency Balkans working group chair Alix Everard speculated that the effort originated with High Representative and EU Special Representative for Bosnia Miroslav Lajcak, possibly as a result of pressure from the Republika Srpska. Everard emphasized that the practice of relaxing the travel bans on families of captured war criminals was not unusual, but added that the speed with which the Presidency was forced to address the issue was a result of Lajcak's quick return of the family's travel documents. She also shared expectations that Lajcak would use upcoming Bosnia-related meetings to make the case for a common EU position for closure of the Office of the High Representative (OHR), despite the Presidency's reluctance to address the issue before the next Peace Implementation Council (PIC) meeting. End Summary.

12. (C) EU Council Secretariat Bosnia officer Sabina Stadler (protect) said, in response to reftel points, that the Council was also taken by surprise by what she described as a French Presidency initiative to lift EU travel restrictions on the Karadzic family. Although arguing that the "Council was not consulted properly" and that the move came surprisingly quickly after the Karadzic arrest, Stadler admitted that it was unlikely that the decision would be reversed when it is taken up by the Committee on External Relations (RELEX) in September. She noted that the EU has not started the process to lift other measures in place against Karadzic associates, and urged us to direct concerns about advance consultation to the French Presidency as they will continue to set the discussion agenda on these matters. Stadler added that the discussion on lifting the travel ban is taking place in the broader context of determining how best to engage Serbia and move forward with the accession process.

13. (C/NF) In a separate conversation, the French chair of the EU's Western Balkans Working Group (COWEB), Alix Everard (protect), said that lifting the restrictions on the Karadzic family was not out of the ordinary; EU past practice has been to lift the travel bans on the families of war criminals after they arrive in the Hague. Moreover, none of the 27 member states objected to the move when it was discussed in COWEB in July. She emphasized that the Presidency had no plans to relax restrictions on any additional PIFWIC associates that remained on the list. Everard added that the Council Secretariat had been pushing for the lift to be done by silence procedure in August, but the Presidency pushed back to have RELEX take up the matter in September. She agreed with Stadler's assessment that the decision was unlikely to be reversed as it moved through the committee process, but did say that the Presidency may be able procedurally to lengthen the process, but this would only create a delay of a few weeks.

14. (C/NF) Everard shared her impression that the effort to

lift the restrictions came from High Representative Lajcak who felt under pressure from the Republika Srpska. As soon as Lajcak returned the travel documents to the family, the EU's room for maneuver was limited, said Everard. Maintaining the ban while the OHR had already provided the passports would be an empty gesture. Everard was surprised that the U.S. had not been consulted by OHR, given Lajcak's emphasis to EU interlocutors on the need for quick action.

15. (C/NF) Noting that High Rep Lajcak's campaign to close OHR was intensifying, Everard inquired about U.S. views on the timing of the closure. She explained that the Presidency was under pressure from Lajcak to raise the issue in the EU and get a common position in favor of closure. Everard expects that the High Rep will take advantage of a Political and Security Committee (PSC) visit to Sarajevo in September and his briefing to member states during the EU's discussion of the future of the Althea military mission in October to make his case to the 27. Because the EU is leaning toward not renewing the mandate for Althea, Lajcak may try to use that decision to justify OHR closure, with or without conditions being met.

16. (C/NF) Everard argued that while the EU should discuss the issue, her view was that OHR closure was not a decision for the EU to take collectively, and any formal debate would only be damaging and highlight divisions among the member states. She emphasized that, if pushed, the Presidency would prefer that the discussion happen after the PIC meeting in November in order to take account of conclusions reached there, but she was pessimistic, saying Lajcak would only force the issue.

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